

REMARKS

Claims 1, 2 and 3-16 are pending in this application after entry of the amendments above. Applicants have amended the claims to incorporate the limitations of claim 3 into claim 1 and to correct errors in punctuation, usage and format without otherwise changing the scope of the claims. Applicants have also formally amended the specification to refer to the parent application consistently with Item 18 of the Utility Patent Application Transmittal submitted with this application when it was filed.

To overcome the obviousness-type double patenting rejection in paragraph 2 of the Action, applicants submit the attached terminal disclaimer.

Claims 1-16 stand rejected under 35 USC 102(e) on Tomikawa U.S. Patent No. 6,723,484, on the basis that this application somehow has a different inventive entity than the patent issuing on the parent to this application. Applicants respectfully submit that the Examiner is mistaken, since this application and its parent were filed on the basis of the same declaration and share the same inventive entity. Applicants invite the Examiner to note that the declaration in this application is a photocopy of the parent application declaration and perforce names the same inventors. This rejection should be withdrawn.

Claims 1-12 and 16 stand rejected as anticipated by or, in the alternative, as obvious over, Oba U.S. Patent No. 5,518,864. This rejection is respectfully traversed.

Simply put, Oba does not expressly or inherently disclose the requirements of claim 1 that some of the carboxyl groups of the polymer represented by general formula (1) are imidized by reaction with an adjacent amide group, and the percentage such imidization is from 1% to 50% of those carboxyl groups. The Action does not address claim 3, the source of these limitations in claim 1, as such, and for good reason: Oba does not disclose imidization at all in its extensive disclosure and instead uses condensation with a diamine to produce its compounds at low temperatures. As a result, Oba's compounds do not contain imide rings. Applicants advise that the imidization of Oba's compounds cannot be even as high as the 1% lower limit

claimed. As a result, Oba cannot anticipate the rejected claims. Since there is no disclosure or suggestion of imidization in Oba, and since obviousness cannot be based upon unknown inherent disclosure, as clearly set forth at MPEP 2141.02, the obviousness rejection should be withdrawn.

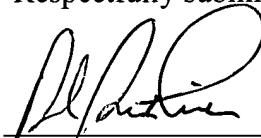
A notice of allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing docket number 360842006010.

Respectfully submitted,

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